

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

HONG KONG XINGTAI INTERNATIONAL TRADE CO. LTD.)	
)	
Plaintiff,)	Case No. 23-cv-15836
)	
v.)	Judge Rebecca R. Pallmeyer
)	
THE INDIVIDUALS, CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, and UNINCORPORATED ASSOCIATES IDENTIFIED ON SCHEDULE "A,")	Magistrate Judge Keri L Holleb
)	Hotaling
)	
Defendants.)	

**MOVING DEFENDANTS' MOTION TO DISSOLVE THE TRO
AND FOR SANCTIONS AGAINST PLAINTIFF,
AND ALTERNATELY FOR INCREASE IN BOND**

The following Defendants

- Sonsfine (d.b.a. brand name: Bdrofn, Seller ID: A123GVDBNV3MXO)
- eLightBulb (d.b.a. brand name: Brightown, Seller ID: A4R7JCZAIZRSD)
- Brilliant Light Inc (d.b.a. brand name: Minetom, Seller ID: AHT5BX9A4F6QN)
- Lakumu Direct (d.b.a. brand name: Lakumu, Seller ID: A3TYA55H7TWRWS)
- Brightever Official (d.b.a. brand name: Brightever, Seller ID: A2GCVQPX9SYJJ3)
- HJX Lighting (d.b.a. brand name: Yochoice, Seller ID: A2LB0MN9CIGK80)
- Brightever US (d.b.a. brand name: Brightever, Seller ID: A1BP1GHEHJ5VWI)
- BesLowe (d.b.a. brand name: BesLowe, Seller ID: A14AF3DH9GLKHS)
- Camxon (d.b.a. brand name: Camxon, Seller ID: 2421618911473)
- SHOPLED (d.b.a. brand name: SHOPLED, Seller ID: 2246495326741)
- Zhongxin Lighting (d.b.a. brand name: Zhongxin, Seller ID: A37BU0JZ77DYF6)

- All Fortune (d.b.a. brand name: All Fortune, Seller ID: AE6UNV12513GM)
- ADDLON LIGHTING (d.b.a. brand name: addlon), Seller ID: AT8CYCW02ZHL2

(the “Moving Defendants”), by and through their attorneys, hereby move (a) to dissolve the *ex parte* TRO entered on 11/20/2023 (Dkt. No. 18) and extended on 12/1/2023 (Dkt. No. 35) against the Moving Defendants, (b) for sanctions against Plaintiff, including an order to show cause, for litigation misconduct in filing its Complaint (Dkt. No. 1), motion for *ex parte* temporary restraining order (Dkt. No. 15) and accompanying brief (Dkt. No. 16), and Motion to Extend the Temporary Restraining Order (Dkt. No. 31) and accompanying brief (Dkt. No. 32), and (c) dismissal of the Moving Defendants from this case. Alternately, the Moving Defendants move to significantly increase the bond.

The Moving Defendants’ motion requests a dissolution of the TRO because: (1) Plaintiff has no possibility of success on the merits and has misrepresented its case to this Court; and (2) the Moving Defendants are not proper defendants in this case.¹ The alternate request to increase the bond amount is because the security associated with the TRO is grossly insufficient to pay the costs and damages sustained by the wrongfully restrained Moving Defendants.

The Moving Defendants’ motion for sanctions seeks terminating Plaintiff’s complaints against the Moving Defendants, attorney fees and costs, an order to show cause, and whatever other sanctions the Court determines to be appropriate. The Moving Defendants seek sanctions pursuant to this Court’s inherent power and Illinois Rule of Professional Conduct 3.1 based on Plaintiff’s misrepresentations and the evidence presented with the Moving Defendants’ accompanying memorandum.

In support of this motion, the Moving Defendants rely upon Plaintiff’s misrepresentations; the Moving Defendants’ Memorandum of Law in Support of the Moving Defendants’ Motion to Dissolve the TRO and for Sanctions Against Plaintiff, and Alternately for Increase in Bond; and

¹ The Moving Defendants have not yet been served with the Complaint and do not have full access to the Court record. If not dismissed from this case, Motions to Dismiss will follow.

the accompanying Declarations; all of which are filed with this motion and incorporated by reference.

Dated: 12/6/2023

Respectfully submitted,


/s/

Allen Justin Poplin, NDIL 21598

AVEK IP, LLC

7285 W. 132nd Street, Suite 340

Overland Park, KS 66213

Phone: (913) 303-3841

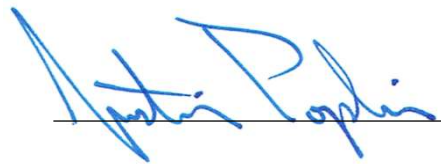
Fax: (913) 549-4646

jpoplin@avekip.com

Attorney for Moving Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 6, 2023, a true and correct copy of MOVING DEFENDANTS' MOTION TO DISSOLVE THE TRO AND FOR SANCTIONS AGAINST PLAINTIFF, AND ALTERNATELY FOR INCREASE IN BOND was electronically filed with the United States District Court for the Northern District of Illinois and electronically served upon all parties having filed an appearance in this matter via the Court's CM/ECF notice of electronic filing.



Counsel for Plaintiff